



# City of San Antonio

## Agenda Memorandum

**File Number:**18-1545

---

**Agenda Item Number:** 9.

**Agenda Date:** 3/14/2018

**In Control:** Planning Commission

---

**DEPARTMENT:** Transportation & Capital Improvements

**DEPARTMENT HEAD:** Mike Frisbie, P.E.

**COUNCIL DISTRICTS IMPACTED:** Council District 1

### **SUBJECT:**

Real Estate Disposition: Vacation and abandonment of improved Lewis Street and West Russell Place Public Rights of Way

### **SUMMARY:**

A resolution supporting the vacation and abandonment of 0.517 acres of improved segments of Lewis Street and West Russell Place between West French Place and Howard Street, in Council District 1, as requested by Christ Episcopal Church, for a fee of \$6,025.00.

### **BACKGROUND INFORMATION:**

Christ Episcopal Church, Petitioner, is requesting the vacation and abandonment of improved Lewis Street and West Russell Place Public Rights of Way in the location as shown on attached Exhibit A. All the abutting property is owned by the church and it plans to demolish the adjacent Thunderbird Apartments and redevelop for expansion of the church. The church has agreed to maintain the subject rights of way as perpetual access easements to allow continual ingress/egress while simultaneously providing it control of the parking adjacent to its property.

### **ISSUE:**

This resolution will support the vacation and abandonment of 0.517 acres of improved segments of Lewis Street and West Russell Place between West French Place and Howard Street, in Council District 1, as

requested by Christ Episcopal Church, for a fee of \$6,025.00.

Christ Episcopal Church, Petitioner, is requesting the vacation and abandonment of improved Lewis Street and West Russell Place Public Rights of Way in the location as shown on attached Exhibit A. All the abutting property is owned by the church and it plans to demolish the adjacent Thunderbird Apartments and redevelop for expansion of the church. The church has agreed to maintain the subject rights of way as perpetual access easements to allow continual ingress/egress while simultaneously providing it control of the parking adjacent to its property.

Based on the church's 501(c)(3) tax-exempt status, some of its missions, which further goals of the City of San Antonio, and because the rights of way are to remain perpetually accessible to the general public and emergency vehicles, the Councilman is recommending a reduction of the closure fee.

This action is consistent with City Code and Ordinances, which require City Council approval for the sale or disposition of City-owned or controlled real property.

#### **ALTERNATIVES:**

Planning Commission could choose not to approve this request; however, if not approved, this would impede its plans for expansion and re-development.

#### **FISCAL IMPACT:**

The fair market value of the Right of Way is \$135,000.00, which was established by an appraisal performed by Noble and Associates, Inc. on October 6, 2016. Based on the church's 501(c)(3) tax-exempt status, some of its missions, which further goals of the City of San Antonio, and because the rights of way are to remain accessible to the general public and emergency vehicles, the Councilman is recommending a reduction of the closure fee to \$6,025.00. At City Council's discretion and approval, the City will collect the reduced amount of \$6,025.00 for this abandonment, and the revenue will be deposited into the General Fund in accordance with the FY 2018 Adopted Budget.

#### **RECOMMENDATION:**

Staff recommends approval of this request to vacate and abandon improved segments of Lewis Street and West Russell Place Public Rights of Way, in Council District 1.